

of the specification. The antecedent basis for Claim 52 can be found at page 6, line 24 and support for Claim 53 is shown at page 16, line 16 through page 17, line 14.

A restriction to one of the following inventions has been required under 35 USC 121:

- I. Claims 1 through 10 and 29, drawn to process, classified in Class 523, subclass 113.
- II. Claims 11 through 14 and 30, drawn to process, classified in Class 523, subclass 113.
- III. Claims 15 through 28 and 31, drawn to process, classified in Class 523, subclass 113.
- IV. Claims 32 through 37, drawn to composition, classified in Class 523, subclass 113.
- V. Claims 38 through 44, drawn to composition, classified in Class 525, subclass 937.
- VI. Claim 45, drawn to composition, classified in Class 523, subclass 115.

The Examiner states that the inventions are distinct and have acquired a separate status in the art as shown by their different classification restriction for examination purposes.

Group I, which now also includes Claims 46-53, is provisionally elected with traverse, on the ground that the restriction requirement is improper. It is respectfully submitted that the Examiner has failed to show, as required under MPEP Section 808, that there would be some extra burden on the PTO to examine all of the claims in a single patent application. The Applicants note that Groups I, II, III and IV are all drawn to Class 523, subclass 113. Furthermore, Group VI also relates to Class 523. The remaining Group V is classified in Class 525, subclass 937, which has been assigned to the Examiner's Art Unit.

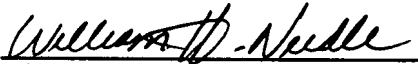
Furthermore, no citation is made as to evidence of recognition by inventors which suggests that, in the future, the classification system in the PTO may be changed to classify the subject matter of the groups into different classes. As set forth at MPEP 808.02, where the classification is the same and the field of the search is the same, and there is no clear indication of separate future classification field of search, no reasons exist for dividing among related inventions. Applicants respectfully submit that such is the case in the matter at hand.

As William G. Hervey, Esquire in the office of the below-signed counsel for applicants discussed with the Examiner during a telephone conversation on April 13, 1989, although Applicants believe restriction is unwarranted in the present application, it is suggested that, rather than the restriction presently required by the Examiner, the claims be restricted into two groups, A and B. Group A, comprising the Examiner's Groups I, IV, VI and new Claims 46-53, relates to the thermoplastic embodiment of the present invention and Group B, comprising the Examiner's Groups II, III and V, relates to the thermosetting embodiment of the present invention. If the Examiner agrees to the restriction of the Claims between Group A (Claims 1-10, 29, 32-37 and 45-53) and Group B (Claims 11-28, 30, 31 and 38-44), then Applicants provisionally elect to prosecute Group A with traverse.

In view of the foregoing, the Applicant respectfully requests that the requirement be withdrawn upon reconsideration. An additional fee of \$48.00 is enclosed herewith for the added claims.

If Applicants are further required by the Examiner to elect a group of claims, Applicants will elect Group I and new Claims 46-53.

Respectfully submitted,
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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner of Patents and Trademarks, Washington, D.C. 20231 on April 14, 1989.


William H. Needle

4-14-89

Date

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